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8 Attorney for Plaintiff
 9 SUSAN RAE OWENS

10 **IN THE UNITED STATES DISTRICT COURT
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 12 SAN JOSE DIVISION**

13 SUSAN RAE OWENS,

14 Plaintiff,

15 v.

16 ERICA L. BRACHFELD, A PROFESSIONAL
 17 CORPORATION, D/B/A BRACHFELD &
 18 ASSOCIATES, P.C., D/B/A LAW OFFICES
 19 OF BRACHFELD & ASSOCIATES, P.C., a
 20 California corporation, and ERICA LYNN
 21 BRACHFELD, individually and in her official
 22 capacity,

23 Defendants.

24 Case No. C07-04400-JF-PVT

25 **MOTION FOR ATTORNEY
 26 FEES AND COSTS**

27 Hearing Judge: Honorable Jeremy
 28 Fogel
 29 Hearing Date: October 3, 2008
 30 Hearing Time: 9:00 a.m.
 31 Courtroom: 3, 5th Floor
 32 Place: 280 South First
 33 Street
 34 San Jose, California

35 COMES NOW the Plaintiff, SUSAN RAE OWENS, by and through counsel Fred W.
 36 Schwinn of the Consumer Law Center, Inc., and hereby moves this Honorable Court for an award
 37 of reasonable attorney fees and costs pursuant to the Amended Judgment (Doc. 23) entered in this
 38 case. In support of her Motion, Plaintiff states the following:

40 1. Plaintiff herein was represented by Fred W. Schwinn of the Consumer Law
 41 Center, Inc.

43 2. On or about August 22, 2008, this Court entered an Amended Judgment in
 44 favor of Plaintiff in this case. The Judgment awarded Plaintiff the amount of \$2,100 plus reasonable
 45 attorney fees and costs incurred in representing Plaintiff in this matter.

1 3. Plaintiff's attorney, Fred W. Schwinn and his staff at the Consumer Law
2 Center, Inc., have expended 25.9 hours on behalf of Plaintiff in this matter. An itemized accounting
3 of the time spent is attached to the Declaration of Fred W. Schwinn in Support of Motion for Award
4 of Attorney Fees which is being filed herewith.

5 4. The prevailing market rate for the time and quality of services provided by
6 Fred W. Schwinn of the Consumer Law Center, Inc., is \$325.00 per hour.

7 5. The prevailing market rate for the time and quality of services provided by
8 Jovanna R. Longo of the Consumer Law Center, Inc., is \$125.00 per hour.

9 6. For the time spent representing Plaintiff in this matter, the Consumer Law
10 Center, Inc., requests attorney fees in the amount of \$\$7,057.50, non-taxable costs and expenses in
11 the amount of \$41.28 and taxable costs in the amount of \$458.00.

12 7. Plaintiff further refers the Court to her Memorandum in Support filed
13 simultaneously herewith.

14 WHEREFORE, Plaintiff requests this Honorable Court award attorney fees to Plaintiff in
15 the amount of \$7,057.50, reasonable non-taxable costs in the amount of \$41.28 in addition to taxable
16 costs in the amount of \$458.00.

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18 Dated: August 29, 2008

CONSUMER LAW CENTER, INC.

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20 By: /s/ Fred W. Schwinn
21 Fred W. Schwinn, Esq.
22 Attorney for Plaintiff
23 SUSAN RAE OWENS

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